

through which the user can enter the chamber and a door covering said opening, the doorjamb structure permitting passage of air between the internal space and the external environment.

REMARKS

Applicant transmits herewith a PTO-1449 with a copy of European Patent application EP 0472 799. This application is generally believed to be cumulative with the other cited references, and, to the extent it was relevant, was discussed at page 2 of the application herein.

The Abstract has been amended to be a single paragraph and to conform better to the claims as amended.

The Examiner's objection to the drawings is not understood. Figures 2, 3, and 4 show the preferred embodiment and two alternate embodiments of the system in schematic form. Any relevant details are shown in Figure 1, or in the various gas separation devices of Figures 5 to 7. Withdrawal of this objection is therefore respectfully requested.

With respect to the objections based on §112, applicant points out that although very low concentrations of oxygen do produce anoxia and coma, where the concentration of oxygen is lowered to a lesser degree, the effect is an increased rate of

respiration and heartbeat which actually increases a subject's alertness. It is this effect to which applicant is referring in the specification.

Claim 17 has been here amended to correct the syntactical error which prompted the Examiner's rejection under §112.

With respect to the previous rejections under §§102 and 103, claim 1 has here been amended to clearly distinguish over the prior art. Claim 1 now clearly claims a system wherein the internal space is maintained at an oxygen concentration less than that of the surrounding environment, but with structure that permits a flow of air to equalize the internal pressure with the external pressure. None of the prior art suggests such a system.

The two primary references cited, Lane and Batter, both teach a hypobaric environment as opposed to the normbaric environment of the invention herein, in which the pressure of the low-oxygen environment is maintained at the external atmospheric pressure. A hypobaric structure requires a reinforced device to preserve the low pressure internal atmosphere without imploding. See the walls of Batter, figure 1. In contrast, the normbaric device of the present invention does not require such a reinforced structure, and can even be constructed from light materials such as the polyethylene walls of standard hospital clean rooms. None of the cited art suggests the creation of a normbaric chamber in which a hypoxic atmosphere is maintained.

Applicant also transmits herewith copies of reports of its claimed product in various recent or current publications which are indicative of commercial success and non-obviousness of the product: Newsweek, October 28, 1996, page 8; Fitness, December 1996, page 22; Ski, December 1996, page 36; New York magazine, September 9, 1996, page 136; Elle, December 1996, page 214; Vogue, November 1996, page 228; MetroSports, October 1996, page 22; and Snow Country, December 1996, page 187.

Dependent claims 2 to 5 depend from claim 1, and have been amended to conform with the new language of claim 1, and new dependent claims 23 to 27 depending from claim 1 have also been added. Since claim 1 is allowable over the prior art, these dependent claims should also be allowable.

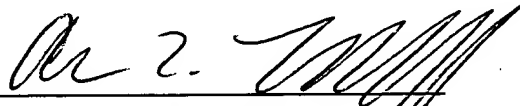
Independent claims 6 and 17 have also been amended to describe systems wherein a normbaric environment is maintained at a low oxygen content, and these claims distinguish over the cited prior art for reasons similar to those expressed above with respect to claim 1. Their respective dependent claims, claims 7 to 15 and 18 to 22, are therefore also allowable.

Attorney for applicant believes that he has fully responded to the Examiner's objections in the Office Action, and that the claims as here amended have been shown to distinguish over the prior art in structure function and result. Formal allowance is

therefore respectfully solicited.

Should any questions arise, the Examiner is invited to contact the undersigned at
212-688-9200.

Respectfully submitted,



Andrew L. Tiajolloff, Esq.
Reg. No. 31,575